

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

<b>LEAH MITELBERG, individually and on behalf of all others similarly situated,</b>	)	
	)	<b>Civil Action No. 2:21-CV-01043</b>
	)	
<b>Plaintiff,</b>	)	<b>Hon. Susan D. Wigenton</b>
	)	
<b>v.</b>	)	<b>NOTICE OF MOTION</b>
	)	<b>(Oral Argument Requested)</b>
<b>THE TRUSTEES OF THE STEVENS INSTITUTE OF TECHNOLOGY,</b>	)	
	)	<b>MOTION DATE: May 3, 2021</b>
	)	
<b>Defendant.</b>		

To: Philip L. Fraietta  
Joseph I. Marchese  
Busor & Fisher, P.A.  
888 Seventh Avenue  
New York, NY 10019

Sarah N. Westcot  
Busor & Fisher, P.A.  
2665 S. Bayshore Drive, Suite 200  
Miami, FL 33133

**PLEASE TAKE NOTICE** that defendant The Trustees of the Stevens Institute of Technology (“Stevens”), will move this Court, before the Honorable Susan D. Wigenton, U.S.D.J., at the United States District Court for the District of New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, on May 3, 2021, at 9:00 a.m., or as soon thereafter as counsel

may be heard, for an Order granting Stevens' Motion to Dismiss Plaintiff's Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6).

**PLEASE TAKE FURTHER NOTICE** that in support of the motion, Stevens shall rely on the enclosed Memorandum of Law, the Declaration of Angelo A. Stio, III and the exhibits thereto. A proposed form of Order also is submitted for the Court's convenience.

**PLEASE TAKE FURTHER NOTICE** that oral argument is requested.

/s/ Angelo A. Stio III  
Angelo A. Stio III  
Michael E. Baughman  
**TROUTMAN PEPPER HAMILTON  
SANDERS LLP**  
301 Carnegie Center  
Suite 400  
Princeton, NJ 08543  
(609) 951.4125

*Attorneys for Defendant The Trustees of The  
Stevens Institute of Technology*

Dated: March 29, 2021